

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

LC2008-000604-001 DT

02/17/2009

COMMISSIONER EARTHA K. WASHINGTON

CLERK OF THE COURT
T. Melius
Deputy

OLGA CHAIKHEEVA
SHIELD FOUNDATION

OLGA CHAIKHEEVA
5555 N. 7TH ST, #153
PHOENIX AZ 85014

v.

YEFIM TOYBIN (001)

DAVID R APPLETON

PHX MUNICIPAL CT
REMAND DESK-LCA-CCC

MINUTE ENTRY

10:05 a.m. This is the time set for Oral Argument re: Motion to Compel. Appellee, Olga Chaikheeva, is present on her own behalf. Appellant, Yefim Toybin, is present with counsel, David R. Appleton.

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Arguments are presented to the Court.

Appellee/Plaintiff's exhibits 1 – 5 are marked for identification and are received in evidence.

IT IS ORDERED remanding this matter back to the Phoenix Municipal Court to determine whether the appellant's notice of appeal and appellate memorandum was mailed to Ms. Chaikheeva by the Civil Appeal Division of that court. If the pleadings were mailed to Ms. Chaikheeva and she failed to participate in the appeals process, then the Phoenix Municipal Court shall abide by this Court's order of November 24, 2008. If Ms. Chaikheeva was not mailed the pleadings then Phoenix Municipal Court shall make any further orders it deems necessary.

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IT IS FURTHER ORDERED denying Appellant's motion for sanctions.

10:45 a.m. Hearing concludes.